



JC07 Rec'd PCT/PTO

24 APR 2001

PATENT

Case Docket No. VANM190.001APC

Date: April 24, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Lauber, et al.
App. No. : 09 743,905
Filed : January 10, 2001
For : METHOD OF GENERIC
MODIFICATION OF A
WILD TYPE VIRAL
SEQUENCE

I hereby certify that this correspondence and all
marked attachments are being deposited with the
United States Postal Service as Express Mail in an
envelope addressed to Assistant Commissioner
for Patents, Washington, D.C. 20231.

April 24, 2001

(Date)

Daniel Hart, Reg. No. 40,637

Group Art Unit : Unknown

TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

ATTENTION: BOX MISSING PARTS

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. §371, which
was mailed by the Office on February 12, 2001, enclosed are:

- (X) An executed Declaration by Inventors.
- (X) A Power of Attorney Form and Copy of Assignment.
- (X) An extension of time to respond for 2 months is hereby requested.

Time Extension Fee:

- | | | |
|-----|--------------|----------------------|
| () | one month | (\$110 large entity) |
| (X) | two months | (\$390 large entity) |
| () | three months | (\$890 large entity) |

- (X) A Notification of Missing Requirements Under 35 U.S.C. §371.

Knobbe Martens Olson & Bear LLP

Intellectual Property Law

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Daniel Hart, Ph.D.

Assistant Commissioner for Patents
Washington, D.C. 20231

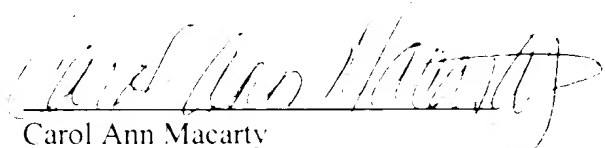
CERTIFICATE OF MAILING BY "EXPRESS MAIL."

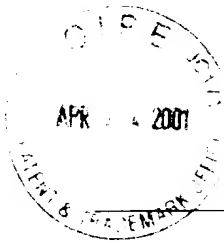
Attorney Docket No. : VANM190.001APC
Applicant(s) : Lauber, et al.
For : METHOD OF GENERIC MODIFICATION OF A
WILD TYPE VIRAL SEQUENCE
Attorney : Daniel Hart
"Express Mail"
Mailing Label No. : EL 842759709 US
Date of Deposit : April 24, 2001

I hereby certify that the accompanying

Transmittal: Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated Elected Office (DO/EO/US); Declaration with Assignment; Power of Attorney by Assignee in 2 pages; PTO Form 1449 with seven (7) references; Check for Filing Fees; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Carol Ann Macarty



PATENT

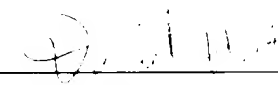
Case Docket No. VANM190.001 APC

Date: April 24, 2001

- (X) Information Disclosure Statement and Form PTO-1449 listing seven (7) references, including a courtesy copy of the PCT International Search Report in three (3) pages.
- (X) Return prepaid postcard.
- (X) Fees as calculated below:

| | | |
|--|----------|----------|
| FEE FOR EXTENSION OF TIME (LARGE ENTITY) | 2 months | \$ 390 |
| SURCHARGE 37 CFR 1.16(e) | | \$ + 130 |
| TOTAL OF ABOVE CALCULATIONS | | \$ 520 |
| TOTAL FEES SUBMITTED HEREWITH | | \$ 520 |

- (X) A check in the amount of \$520 to cover the above fees is enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.



Daniel Hart
Registration No. 40,637
Attorney of Record



UNITED STATES PATENT AND TRADEMARK OFFICE

Commission for Patents, Box 101
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

| | | |
|----------------------------|-----------------------|----------------|
| U.S. APPLICATION NUMBER NO | FIRST NAMED APPLICANT | ATTY DOCKET NO |
| 09/743,905 | E. Lauber | VANM190.001A |

| |
|------------------------------|
| INTERNATIONAL APPLICATION NO |
|------------------------------|

PCT/BE99/00089

| | |
|----------------|---------------|
| IA FILING DATE | PRIORITY DATE |
|----------------|---------------|

07/09/1999

07/10/1998

20995

KNOBBE MARTENS OLSON & BEAR LLP
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH, CA 92660

CONFIRMATION NO. 8920

371 FORMALITIES LETTER



OC000000007499748

Date Mailed: 02/22/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Listing
- Claims
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Initial Application Filing Fees
- Oath or Declaration
- Oath or Declaration
- Original Specification
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the

requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 305-3693

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO | INTERNATIONAL APPLICATION NO | ATTY DOCKET NO |
|----------------------------|------------------------------|----------------|
| 09/743,905 | PCT/BE99/00089 | VANM190.001A |

VANM190 001A
DEA/JAH



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20530

| | | | |
|-------------------------------|---------------|---|--------------|
| 9.743905 | LAUBER | E | VANM190.001A |
| INTERNATIONAL APPLICATION NO. | | | |
| PCT/BE99/00089 | | | |
| FILED DATE | PRIORITY DATE | | |
| 09 JUL 99 | 10 JUL 98 | | |
| DATE MAILED | 12 FEB 2001 | | |

KNOBBE MARTENS OLSON & BEAR
SIXTEENTH FLOOR
620 NEWPORT CENTER DRIVE
NEWPORT BEACH, CA 92660

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.
☒ Copy of the international application in:
☐ a non-English language.
☒ English

☐ Translation of the international application into English

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 10 JAN 01 and

☐ Information Disclosure Statement(s) filed and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☒ Other: IPEA 402, IB 306

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice *MUST* be returned with this response.

- Enclosed
☐ PCT/DO/EO/917
☐ PTO-875
☐ Notice of Defective Translation
FORM PCT/DO/EO/917 (December 1997)

COTTMAN, DARRELL C
Telephone 703-305-3693